

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**IN RE:** : **MDL DOCKET NO. 4:03-CV-1507-WRW**  
: **PREMPRO PRODUCTS LIABILITY** :  
: **LITIGATION** : **ALL CASES IN EXHIBIT A<sup>1</sup>**

**ORDER**

Pending is Defendants' Motion for Summary Judgment re: California Statute of Limitations (Doc. No. 2242). Plaintiffs have responded and Defendants have replied.<sup>2</sup>

Defendants assert that each of the Plaintiffs listed in Exhibit A filed their cases in California "more than two years *after* both the date of her breast cancer diagnosis and the July 9, 2002, public announcement that the National Institutes of Health had terminated the Prempro arm of the Women's Health Initiative (WHI) study."<sup>3</sup> Accordingly, Defendants contend that each case is barred based on California's two-year statute of limitations.

In response, Plaintiffs state only that each Plaintiff now has a case pending in Minnesota, and dismissing the California cases would not have a *res judicata* effect on the Minnesota cases.<sup>4</sup>

Since Plaintiff appears to have conceded the issue, Defendants' Motion for Summary Judgment (Doc. No. 2242) is GRANTED. Accordingly, the cases listed in Exhibit A are DISMISSED.

IT SO ORDERED this 13th day of May, 2010.

/s/ Wm. R. Wilson, Jr. \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>The Clerk of the Court is directed to file this order in the *In re Prempro* case and in each case listed in Exhibit A.

<sup>2</sup>Doc. Nos. 2256, 2262.

<sup>3</sup>Doc. No. 2243.

<sup>4</sup>Doc. No. 2256.

**EXHIBIT A**

|                    |                   |
|--------------------|-------------------|
| Allen, Dorothy     | 4:05-cv-01198-WRW |
| Allen, Judith      | 4:05-cv-00673-WRW |
| Anderson, Patsy    | 4:05-cv-01821-WRW |
| Andrews, Loretta   | 4:05-cv-01244-WRW |
| Arbogast, Janet    | 4:05-cv-01474-WRW |
| Aros, Helen Penny  | 4:05-cv-01772-WRW |
| Awald, Karen       | 4:05-cv-00766-WRW |
| Bannerman, Carol   | 4:05-cv-00700-WRW |
| Barnes, Phyllis    | 4:05-cv-00837-WRW |
| Barrett, Joanne    | 4:05-cv-00781-WRW |
| Bethea, Betty      | 4:05-cv-01532-WRW |
| Black, Joanne      | 4:05-cv-01241-WRW |
| Bowden, Mary       | 4:05-cv-01274-WRW |
| Brouwer, Juanita   | 4:05-cv-01789-WRW |
| Burgess, Hazel     | 4:05-cv-00839-WRW |
| Burpee, Joyce      | 4:05-cv-00826-WRW |
| Campbell, Virginia | 4:05-cv-00565-WRW |
| Cargan, Nata       | 4:05-cv-01757-WRW |
| Carrera, Adrienne  | 4:05-cv-01225-WRW |
| Carter, Lois       | 4:05-cv-01406-WRW |
| Carter, Nancy Jo   | 4:05-cv-01765-WRW |
| Casto, Joan        | 4:05-cv-01763-WRW |
| Chamness, Margaret | 4:05-cv-00746-WRW |
| Chrisco, Mary      | 4:05-cv-01197-WRW |
| Clemons, Peggy     | 4:05-cv-00480-WRW |
| Collins, Sally     | 4:05-cv-01632-WRW |
| Conner, Marian     | 4:05-cv-01827-WRW |
| Cordon, Alba       | 4:05-cv-01736-WRW |
| Couch, Barbara     | 4:05-cv-00564-WRW |
| Cowart, Wilma      | 4:05-cv-01810-WRW |
| Dawson, Mary       | 4:05-cv-00680-WRW |
| Duffy, Lois        | 4:05-cv-01473-WRW |
| Edwards, Janet     | 4:05-cv-01764-WRW |
| Eells, Linda       | 4:05-cv-01393-WRW |
| Farr, Frances      | 4:05-cv-01399-WRW |
| Faulkner, Wilma    | 4:05-cv-01724-WRW |
| Flaman, Marjorie   | 4:05-cv-01184-WRW |
| Foltz, Margaret    | 4:05-cv-01264-WRW |
| Foltz, Wanda       | 4:05-cv-00911-WRW |
| Foster, Delois     | 4:05-cv-01125-WRW |
| Fragoso, Isabel    | 4:05-cv-01769-WRW |
| Gilliam, Gail      | 4:05-cv-01327-WRW |
| Gist, Doris        | 4:05-cv-01807-WRW |
| Goode, Phyllis     | 4:05-cv-01778-WRW |
| Haemker, Sharon    | 4:05-cv-01222-WRW |
| Haney, Carol       | 4:05-cv-01725-WRW |
| Harris, Margaret   | 4:05-cv-01273-WRW |
| Hess, Louise       | 4:05-cv-01126-WRW |
| Hinceman, Wanda    | 4:05-cv-01182-WRW |
| Holtzman, Alice    | 4:05-cv-01221-WRW |
| Hren, Rita         | 4:05-cv-01548-WRW |
| Hunter, Nancy      | 4:05-cv-01265-WRW |
| Hutchinson, Yvonne | 4:05-cv-01183-WRW |
| Ivey, Glenda       | 4:05-cv-01223-WRW |
| Jerome, Doris      | 4:05-cv-01267-WRW |
| Katte, Nancy       | 4:05-cv-01788-WRW |
| Kiger, Grace       | 4:05-cv-01227-WRW |

|                         |                   |
|-------------------------|-------------------|
| Kirkland, Sandra        | 4:05-cv-01610-WRW |
| Kruse, Patricia         | 4:05-cv-01783-WRW |
| Kunkel, Marcia          | 4:05-cv-01210-WRW |
| Laufketter, Sally       | 4:06-cv-00252-WRW |
| Lawton-Wilson, Patricia | 4:05-cv-01188-WRW |
| Lee, Monica             | 4:05-cv-01349-WRW |
| Maiello, Katherine      | 4:05-cv-01270-WRW |
| Mallette, Dorothy       | 4:05-cv-01275-WRW |
| Maury, Nan              | 4:05-cv-01800-WRW |
| McAdoo, Nola            | 4:05-cv-01348-WRW |
| McComas, Charlene       | 4:05-cv-01823-WRW |
| Meeks, Lillian          | 4:05-cv-00479-WRW |
| Moran, Anna             | 4:05-cv-01722-WRW |
| Nicholson, Brenda       | 4:05-cv-01283-WRW |
| Nickel, Joanne          | 4:05-cv-01185-WRW |
| Norvell, Barbara        | 4:05-cv-00842-WRW |
| O'Neil, Jo Garrison     | 4:05-cv-01200-WRW |
| Orr, Reva               | 4:05-cv-01228-WRW |
| Parker, Regina          | 4:05-cv-01522-WRW |
| Patterson, April        | 4:05-cv-01271-WRW |
| Perkinson, Kathleen     | 4:05-cv-01305-WRW |
| Peters, Donna           | 4:05-cv-01608-WRW |
| Petersen, Judith        | 4:05-cv-01786-WRW |
| Peterson, Joanne        | 4:05-cv-01614-WRW |
| Phillips, Mary          | 4:05-cv-01132-WRW |
| Pitsinger, Muriel       | 4:05-cv-01721-WRW |
| Plieseis, Viola         | 4:05-cv-01196-WRW |
| Podhayski, Joyce        | 4:05-cv-00478-WRW |
| Preston, Kathleen       | 4:05-cv-01306-WRW |
| Robbins, Ruby           | 4:05-cv-01784-WRW |
| Rogers, Patricia        | 4:06-cv-00549-WRW |
| Ross, Lydia             | 4:05-cv-00460-WRW |
| Rozsak, Elizabeth       | 4:05-cv-01256-WRW |
| Rydjeske, Jan Costa     | 4:05-cv-01767-WRW |
| Simon, Diane            | 4:05-cv-00654-WRW |
| Sitzmann, Ruth          | 4:05-cv-01609-WRW |
| Solis, Mary             | 4:05-cv-01211-WRW |
| Sorensen, Mary          | 4:05-cv-00811-WRW |
| Spencer, Flora          | 4:05-cv-01329-WRW |
| Standriff, Sue          | 4:05-cv-01180-WRW |
| Steele, Mary            | 4:05-cv-01811-WRW |
| Stone, Patricia         | 4:05-cv-01284-WRW |
| Taube, Donna            | 4:05-cv-01813-WRW |
| Thompson, Joan          | 4:05-cv-01226-WRW |
| Tolkin, Jewell          | 4:05-cv-01804-WRW |
| Valentine, Tena         | 4:05-cv-00699-WRW |
| Wachter, Bertha         | 4:05-cv-01023-WRW |
| Walters, Diana          | 4:05-cv-01520-WRW |
| Walters, Marion         | 4:06-cv-00550-WRW |
| Waugh, Joyce            | 4:05-cv-01799-WRW |
| Wegenast, Judy          | 4:05-cv-01201-WRW |
| Weinmann, Charlene      | 4:05-cv-01613-WRW |
| Whaley, Helen           | 4:05-cv-00679-WRW |
| Wheeler, Donna          | 4:05-cv-01756-WRW |
| Will, Marilyn           | 4:05-cv-00678-WRW |
| Wixen, Francine         | 4:05-cv-01269-WRW |
| Wood, Joyce             | 4:05-cv-01266-WRW |
| Zissel, Bea             | 4:05-cv-01203-WRW |